

## Remarks/Arguments

### **Rejections Under 35 U.S.C. §102**

The Examiner has rejected claim 1, 2 and 7-15 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,475,578, issued to Gerrits et al., with additional evidence provided by U.S. Publication No. 2001/0042938, by Mackay.

Applicant has canceled claims 1 and 2 herewith.

With respect to claims 7-15, Applicant has amended claims 7-11 such that these claims are now dependent on any of claims 3-6. Claims 3-6 have been rewritten in independent form and are now in condition for allowance as noted by the Examiner in the Official Action of June 17, 2004. Since claims 3-6 are allowable in their current independent forms, claims 7-11 are also allowable as depending therefrom.

Claims 12 and 13 have been canceled herewith.

Claim 14 has been rewritten in independent form. Original claim 12, from which claim 14 depended, claims a peel layer comprising polybutene in a range greater than 15%. Claim 14, as originally written, claimed a peel layer comprising polybutene in a range of from about 16% to about 20% by weight of the peel layer. Claim 14, as rewritten in independent form, has also been amended to require that the peel layer comprise polybutene in a range of between about 15% and about 20%. The prior art cited by the Examiner discloses a peel layer having polybutylene in a range of 20% to 80%. Thus, claim 14 as amended is allowable.

### **Rejections Under 35 U.S.C. §103**

The Examiner has rejected claims 9 and 12-16 under 35 U.S.C. §103(a) as being unpatentable over Gerrits et al.

Claim 9 depends from claim 3, which, by the Examiner's own statement, is allowable in its current independent form. Claim 9 is therefore allowable as depending from claim 3.

Claims 12 and 13 have been canceled herewith.

Claim 14 has been rewritten in independent form. The range of polybutene in the peel layer, as required by claim 14, is not disclosed by Gerrits et al. The Examiner did not make an argument with respect to the specific limitation in claim 14 when making the rejection.

Applicant submits that claim 14 is allowable over Gerrits et al. as Gerrits et al. neither teach nor suggest a peel layer with polybutene in the range required by claim 14.

Claim 15 has been canceled herewith.

Claim 16 has been rewritten in independent form. The claim requires that the polymer matrix in the peel layer is low density polyethylene. The Examiner did not make an argument with respect to the specific limitation in claim 16 when making the rejection. Applicant submits that claim 16 is allowable over Gerrits et al. as Gerrits et al. neither teach nor suggest the use of low density polyethylene as the polymer matrix in the peel layer.

The Examiner has objected to claim 17 as depending from a rejected base claim. Applicant respectfully notes that claim 17 is, in fact, an independent claim and, as such, is allowable in its current form. Applicant also notes that the Examiner has elsewhere in the Official Action already allowed claim 17.

The Examiner has also allowed claims 18-21. Applicant thanks Examiner for the allowance of these claims. Applicant notes, however, that claim 22 is currently pending in the application. Applicant submits that claim 22 is allowable as it depends from allowable base claim 21.

Applicant submits that each of the pending claims in the present application is now in condition for allowance, and respectfully requests allowance of the same.

Respectfully submitted



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I hereby certify that this document and any being referred to as attached or enclosed is being deposited with the United States Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on November 18, 2004.

11-18-04 Connie A. Mills  
Date Connie A. Mills